



Town Council Agenda Report

SUBJECT: QUASI JUDICIAL - VARIANCE

TITLE OF AGENDA ITEM:

V 9-5-99 "School of Computers and Information Systems" Nova Southeastern University, Inc.,
petitioner/owner - 6100 Griffin Road - Generally located at the southwest corner of
Griffin Road and SW 61 Avenue.

REPORT IN BRIEF:

Nova Southeastern University is proposing to redevelop the former Hollywood Federal Bank Building site for use as the school of computers. The petitioner is required to meet the applicable parking code requirement for use of the building as an educational facility. However, the petitioner is unable to meet the parking requirement and is seeking a variance to reduce the required parking from 112 parking spaces to 87 parking spaces.

This site was affected by the Florida Department of Transportation (FDOT) taking along Griffin Road. Approximately 63' of property between the north building wall and the original Griffin Road right-of-way line reverted to FDOT accounting for removal of approximately 20 parking spaces. When considering variances for properties affected by the taking, staff must consider the ability of the petitioner to reconfigure site conditions, relocate or reconstruct buildings, and to acquire adjacent parcels. The proposed redevelopment plan substantially meets code and has designed the improvements to protect existing features such as large canopy trees. The proposed use is relatively un-intensive being that 2/3 of the building will be used for office, and is consistent with Comprehensive Plan polices, therefore, staff believes the proposed variance is necessary for the reasonable use of the property, as it would most likely otherwise be utilized as office.

PREVIOUS ACTIONS: None

CONCURRENCES:

The Planning and Zoning Board recommended approval (5-0) at its October 27, 1999 meeting, (motion by Mr. Pisula, second by Mr. Davenport).

Staff recommends approval with a finding that the request meets the general intent and purpose of the code, is the minimum variance requested, and will not be injurious to the planned and adjacent uses.

FISCAL IMPACT:

Is appropriation required? No
Funding appropriated? No

RECOMMENDATION(S):

Motion to approve.

Attachment(s):

Planning Report, Variance Application, Land Use Map, Subject Site Map, and Aerial.

Application #: V 9-5-99
Nova University School of Computers
and Information Systems

Revisions:

Exhibit "A":

Original Report Date: 10/28/99

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation

APPLICANT INFORMATION

Owner:

Name: Nova Southeastern
University , Inc.
Address: 3301 College Avenue
City: Davie, FL 33314
Phone: (954) 262-8832

Agent:

Name: John J. Santulli, Associate V.P.
Address: 3301 College Avenue
City: Davie, FL 33314
Phone: (954) 262-8832

BACKGROUND INFORMATION

Application Request: The petitioner is requesting a variance to reduce the required parking spaces from 112 parking spaces to 87 parking spaces.

Address/Location: 6100 Griffin Road - Generally located at the southwest corner of Griffin Road and SW 61 Avenue.

Existing Land Use Designation: Regional Activity Center

Existing Zoning: B-2, Community Business District

Existing Use: The former Hollywood Federal Bank Building, currently proposed to be occupied by Nova Southeastern University.

Proposed Use: Nova Southeastern University School of Computers and Information Systems.

Parcel Size: 2.23 acres or 97,138.8 square feet.

Surrounding Land Use:

South: Vacant Land

East: Single Family Home

West: Vacant Land

Surrounding Zoning:

North: B-2, Community Business District, north of Griffin Road & the New River Canal.

South: B-2, Community Business District

East: B-2, Community Business District

West: B-2, Community Business District

ZONING HISTORY

Related Zoning History: None.

Previous Request on same property: None.

DEVELOPMENT PLAN DETAILS

Development Details: The Applicant's SUBMISSION indicates the following:

1. Square footage of existing building: **22,324 sq.ft. (All 3-Stories)**
6 classrooms on first floor 11,906 square feet of office space on second and third floors.
2. Access points/number of parking spaces: **1 access point off SW 61 Ave./ 112 parking spaces required, 87 parking spaces proposed.**
3. Drainage/Open Space information: **Catch Basin Drainage System**
34% landscape area.

Application Codes and Ordinances

Section 12-208(A)33, which requires schools, colleges public, private or parochial to have two (2) parking spaces for each classroom plus one (1) space for each three (3) students of design capacity, plus one (1) space for each 200 square feet not accounted for in classroom or hallway areas..

Section 12-392(5)(d), which requires one (1) space for every 300 square feet of gross floor area for all offices within the Western Theme District.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 9 and Flexibility Zone 102. This area is predominantly agricultural in nature with scattered low-density single-family residential development. Low profile commercial development lines the Griffin Road, Davie Road, and Stirling Road corridors. Agricultural uses are expected to diminish in the upcoming years succumbing to increased residential demands given the enhanced accessibility by the

Griffin Road widening.

Applicable Goals, Objectives & Policies:

Future Land Use Policy 10-7 directs that rezoning and variance requests within the RAC shall be evaluated against the comprehensive plan policies relating to the Regional Activity Center designation, and shall further the intent of the RAC, as expressed through plan policies, including the following:

Future Land Use Policy 10-1 states, "The regional Activity Center land use designation shall promote and encourage large-scale development and redevelopment as well as small parcel infill development and redevelopment that facilitates a coordinated and balanced mix of land uses, including educational facilities."

Future Land Use Policy 10-2, states, "Expansion of the South Florida Education Center (SFEC) in a well-planned manner, compatible with adjacent land uses, should be encouraged within the RAC."

Staff Analysis

Nova Southeastern University is proposing to redevelop the former Hollywood Federal Bank Building site for use as the School of Computers and Information Systems. The petitioner is required to meet the applicable parking code requirement for use of the building as an educational facility. However, the petitioner is unable to meet the parking requirement and is seeking a variance to reduce the required parking from 112 parking spaces to 87 parking spaces.

This site was affected by the Florida Department of Transportation (FDOT) taking along Griffin Road. Approximately 63 feet of property between the north building wall and the original Griffin Road right-of-way line reverted to FDOT accounting for removal of approximately 20 parking spaces. In addition, at the time the property was sold by RTC Trust, there was a discrepancy which removed the southern 56 feet from ownership of the rest of the site, which is now under the ownership of the abutting property owner. This loss of area accounts for 17 parking spaces.

When considering variances for properties affected by the taking, staff must consider the ability of the petitioner to reconfigure site conditions, and relocate or reconstruct buildings. Staff believes the proposed use is suitable for this site and is consistent with Comprehensive Plan Policies. The existing building is useable as an office use without modification of the building, and without having to seek a parking variance. However, a small portion of the building will be utilized as classrooms which requires additional parking spaces. The RAC land use Comprehensive Plan Policies encourage redevelopment of infill properties which includes educational facilities and provides a substantial service to the community. Given the improvements to the site for landscaping, open space and internal circulation, and the fact that the second and third floor will be utilized as office space, staff believes the requested variance is necessary for the reasonable use of the property and generally meets the intent of the Code and Comprehensive Plan Policies.

Findings of Fact

Variances: (Example) Section 12-309(B)(1)

- (a) There may be special circumstances and conditions applying to the land and building for which the variance is sought, which circumstances or conditions are peculiar to such land and building and do not apply generally to land or buildings in

the same district, and that said circumstances or conditions are such that the strict application of the provisions of this chapter may deprive the applicant of the reasonable use of such land or building for which the variance is sought, and that the hardship is not self-created by any person having an interest in the property;

- (b) The granting of the variance may be necessary for the reasonable use of the land or building and that the variance as requested is the minimum variance that will accomplish this purpose;
- (c) That granting the variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Staff Recommendation

Recommendation: Based upon the above and the finding of facts in the positive, staff recommends approval of Application No. V 9-5-99.

Planning and Zoning Board Recommendation

The Planning and Zoning Board recommended approval (5-0) at its October 27, 1999 meeting, (motion by Mr. Pisula, second by Mr. Davenport).

Exhibits

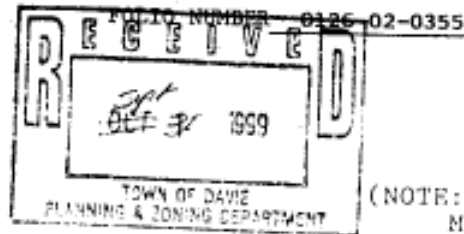
- 1. Land Use Map
- 2. Subject Site Map
- 3. Aerial

Prepared by: _____
Reviewed by: _____

EXISTING ZONING: B2, WESTERN THEME
CODE SECTION:

PROPOSED ZONING: SAME
CODE SECTION:

LAND USE DESIGNATION: COMMUNITY BUSINESS



TOWN OF DAVIE
VARIANCE APPLICATION

(NOTE: INFORMATION MUST BE TYPED AND NOTARIZED)
Make Checks payable to TOWN OF DAVIE

TOWN OF DAVIE USE ONLY
PETITION NO. 19-5-99
FEE. \$ 930.00
RECEIPT NO. 7757

DATE FILED:

PHONE: 954-262-8832

PETITIONER: NOVA SOUTHEASTERN UNIVERSITY, INC.
A NOT FOR PROFIT FLORIDA CORPORATION

MAILING ADDRESS: 3301 COLLEGE AVE.
DAVIE, FL. 33314

RELATIONSHIP TO PROPERTY: OWNER

OWNER: SAME

MAILING ADDRESS: SAME

ADDRESS OF PROPERTY: 6100 GRIFFIN ROAD DAVIE, FL.

LEGAL DESCRIPTION: (Certified Sealed Boundary Survey to include statement of amount of acreage involved MUST be submitted with application):

A PORTION OF THE NORTH 400 FEET OF TRACT 61 IN SECTION 26, TOWNSHIP 50 SOUTH, RANGE 41 EAST AS RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, BK 29522 PG 1183.

ACREAGE: APPROXIMATELY 2.2 ACRES

REQUEST: A REDUCTION IN THE REQUIRED NUMBER OF PARKING SPACES FROM 112 to 87.

REASON FOR REQUEST: (attach additional sheet as necessary)
REFER TO ATTACHMENT.

*** PETITIONER MUST BE PRESENT IN ORDER FOR ACTION TO BE TAKEN ***

Pre Conference Mtg. 10/27/99 OFFICE USE ONLY

APPROVED AS TO FORM: Joe PUBLICATION DATE: 10/20/99

MEETING DATE: PLANNING AND ZONING BOARD: 10/27/99 TOWN COUNCIL: 11/3/99

NOTICES SENT: 123 REPLIES: FOR: AGAINST:

UNDELIVERABLE:

NOVA SOUTHEASTERN UNIVERSITY, INC.
JOHN J. SANTULLI, AS ASSOCIATE VICE PRES.

NOVA SOUTHEASTERN UNIVERSITY, INC.
JOHN J. SANTULLI, AS ASSOCIATE VICE PRES.

OWNER'S NAME(S)

John J. Santulli as AVP
OWNER'S SIGNATURE (ALL OWNERS MUST SIGN)

PETITIONER'S NAME

John J. Santulli as AVP
PETITIONER'S SIGNATURE

3301 COLLEGE AVENUE, DAVIE, FL. 33314
ADDRESS

3301 COLLEGE AVE., DAVIE, FL. 33314
ADDRESS

CITY, STATE, ZIP

954-262-8832

PHONE

CITY, STATE, ZIP

954-262-8832

PHONE

The foregoing instrument was acknowledged before me
this 30th day of SEPTEMBER, 1999, by
John J. Santulli who is personally
known to me or who has produced _____

The foregoing instrument was acknowledged before me
this 30th day of September, 1999, by
John J. Santulli who is personally
known to me or who has produced _____

as identification and who did take an oath.

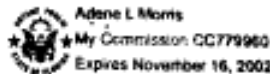
as identification and who did take an oath.

NOTARY PUBLIC:

Sign: Arlene L. Morris

Print: Arlene L. Morris

My Commission Expires:

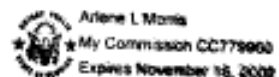


NOTARY PUBLIC:

Sign: Arlene L. Morris

Print: Arlene L. Morris

My Commission Expires:



OFFICE USE ONLY

RECORD SURVEY
A PORTION OF
TRACT 61
SEC. 26 - TWP. 50S. - RGE. 41E.
TOWN OF DAVIE,
BROWARD COUNTY, FLORIDA.

LEGAL DESCRIPTION

The North 400 feet of Tract 61 in Section 26, Township 50 South, Range 41 East, of EVERGLADES LAND SALES CO. SUBDIVISION, according to the Plat thereof recorded in Plat Book 2, Page 34, of the Public Records of Miami-Dade County, Florida, LESS the East 25 feet thereof, said lands situate, lying and being in Broward County, Florida;

AND FURTHER LESS AND EXCEPT:

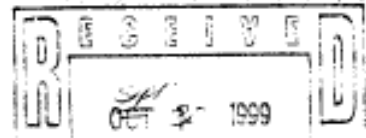
The North 13 feet of said Tract 61, as shown on Florida Department of Transportation Maintenance Map as recorded in Miscellaneous Map Book 7, Page 15 of the Public Records of Broward County, Florida;

AND FURTHER LESS AND EXCEPT:

Those lands conveyed to the State of Florida Department of Transportation by deed filed July 2, 1996 in Official Records Book 25085, Page 709, as more particularly described as follows:

That part of Tract 61, EVERGLADES LAND SALES CO. SUBDIVISION, according to the Plat thereof recorded in Plat Book 2, at Page 34, of the Public Records of Miami-Dade County, Florida, lying in Section 26, Township 50 South, Range 41 East, Broward County, Florida, being more particularly described as follows:

Commence at the Southwest corner of said Section 26; thence North 01 degrees 37 minutes 13 seconds West along the West line of the Southwest One-quarter of said Section 26, a distance of 1,065.62 feet to a point on the Baseline of Survey for State Road 818 (Griffin Road) as shown on the Florida Department of Transportation Right of Way Map for Section 86015-2506; thence North 88 degrees 21 minutes 44 seconds East along said Baseline of Survey, a distance of 992.97 feet; thence South 01 degrees 38 minutes 16 seconds East along a line at right angles to the last described course, a distance of 66.04 feet to a point on the Southerly Existing Right of Way line, for State Road 818 (Griffin Road) and the POINT OF BEGINNING; thence North 88 degrees 18 minutes 50 seconds East along said Southerly Existing Right of Way line, a distance of 305.00 feet to the Westerly Existing Right of Way line, for S.W. 61 Avenue; thence South 01 degrees 40 minutes 22 seconds East along said Westerly Existing Right of Way line, a distance of 91.42 feet; thence North 44 degrees 44 minutes 52 seconds West, a distance of 40.58 feet to a point on a non-tangent curve concave to the South, having a chord bearing of South 87 degrees 56 minutes 15 seconds West, a distance of 00 degrees 34 minutes 19 seconds, an arc distance of 219.54 feet to the end of said curve; thence South 45 degrees 59 minutes 04 seconds West, a distance of 37.50 feet; thence South 01 degrees 43 minutes 07 seconds East, a distance of 7.09 feet; thence South 88 degrees 18 minutes 52 seconds West, a distance of 30.03 feet to the Westerly boundary line of said Tract 61; thence North 01 degrees 40 minutes 22 seconds West along said Westerly boundary line, a distance of 96.53 feet to the POINT OF BEGINNING.



ATTACHMENT TO VARIANCE APPLICATION

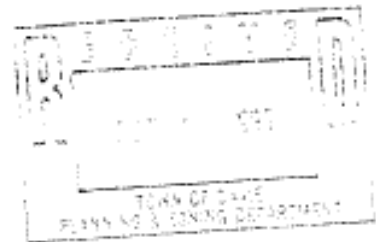
The requested variance, a reduction in required parking spaces from 112 spaces to 87 spaces, is requested based on the following three hardship conditions:

- (1) The loss of valued previously existing parking capacity, approximately 20 spaces, taken as right-of-way for the expansion of Griffin Road.
- (2) Preservation of existing canopy trees and buffer requirements.
- (3) New fire access requirements for 50 foot turning radii not previously applied to the existing building and previous parking lot requirements.

ASSOCIATE VICE PRESIDENT FOR FACILITIES MANAGEMENT

3301 G Street, NW • Fort Lauderdale, Florida 33314-7755 • (954) 382-8932 • Fax (954) 382-0600

NOVA
SOUTHEASTERN
UNIVERSITY



Mr. Mark Kutney, Director
Development Services
Town of Davie
6591 SW 45 Street
Davie, FL. 33314

Re: Variance request, School of Computer & Information
Sciences Center, 6100 Griffin Road

September 30, 1999

Dear Mark:

I am forwarding the variance request for the above referenced project. The request is based on the meeting we had with you and your staff earlier this week. Under separate cover, I am forwarding the amended site plan.

Should you or your staff have any questions, please do not hesitate to contact Tom Scarry or myself. As always, your support of Nova Southeastern University and its programs is greatly appreciated.

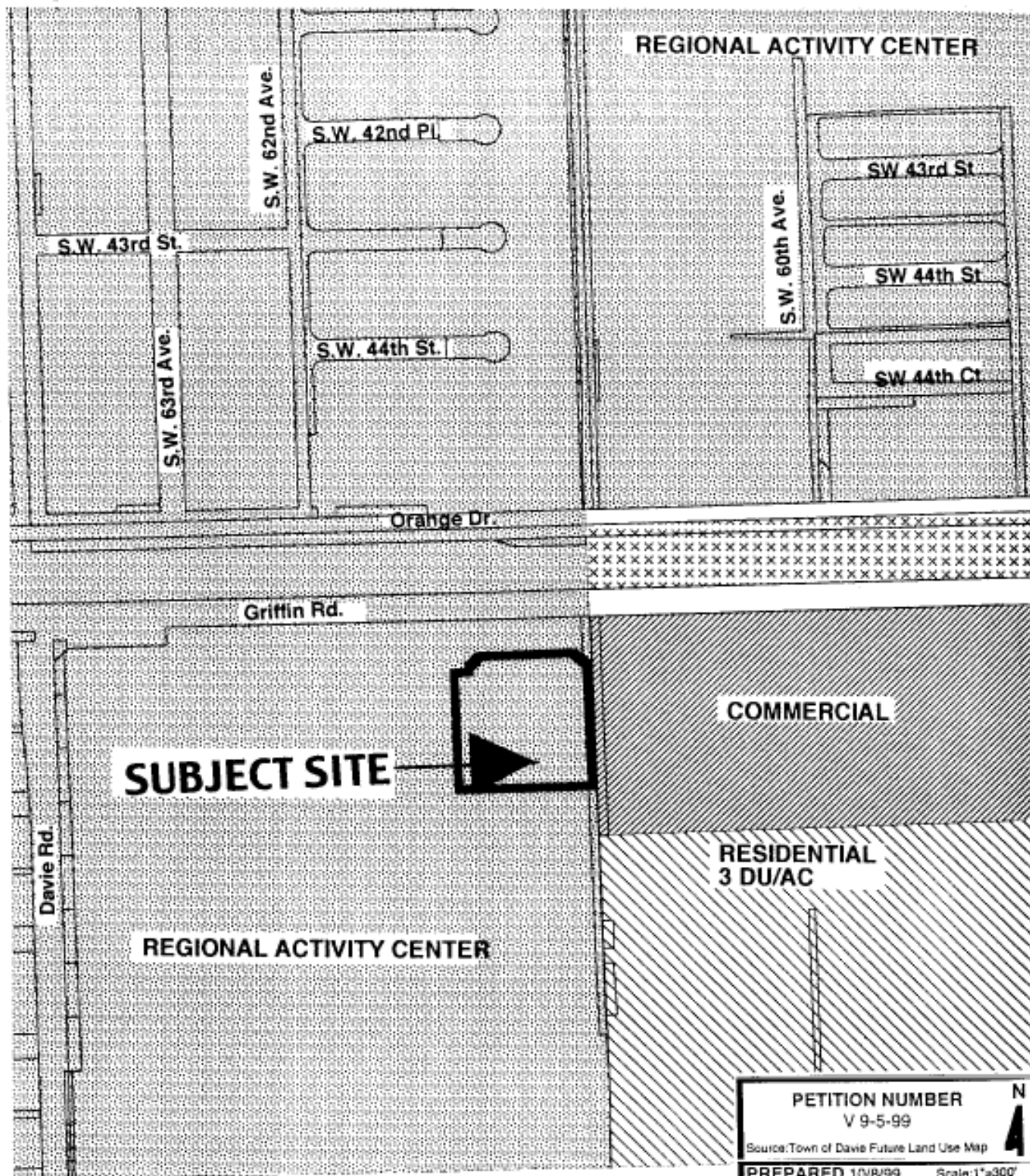
Sincerely,

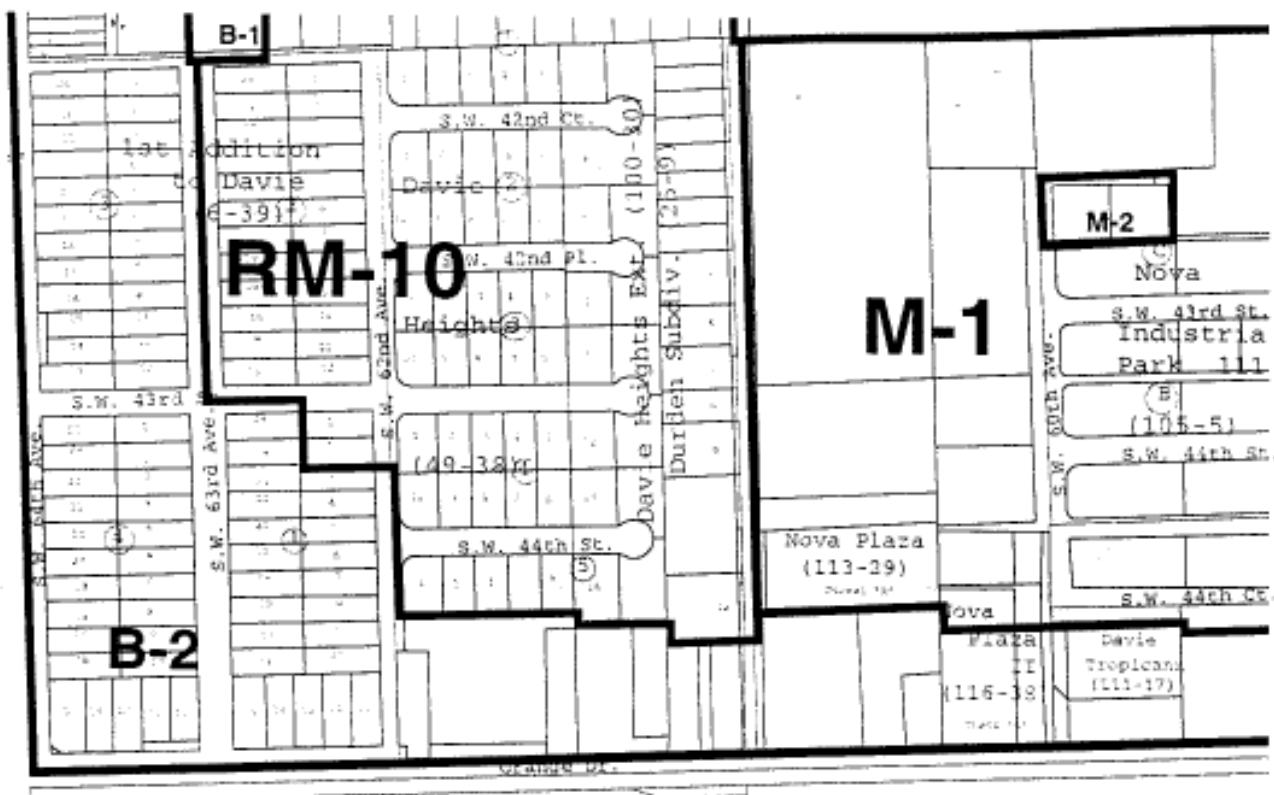

John J. Santulli, Associate
VP Facilities Management

Attachments

ASSOCIATE VICE PRESIDENT FOR FACILITIES MANAGEMENT

3301 College Avenue • Fort Lauderdale, Florida 33314-7796 • (954) 262-8832 • Fax (954) 262-3900





SOUTH NEW RIVER CANAL

Griffin Rd.

